


# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

JULY 6, 2005

FROM: CITY MANAGER



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1. ROLL CALL: 5:36 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Kathleen Dunbar, Council Members Jose J. Ibarra, Carol West, Shirley Scott, and Steve Leal, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Council Member Fred Ronstadt

STAFF MEMBERS: Mike Hein, City Manager  
Liz R. Miller, Assistant City Manager  
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Kathleen Detrick, City Clerk, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS

- a. Proclaiming July 10 to July 16 to be National Therapeutic Recreation Week

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – JULY6-05-<u>389</u></p> <p>Council Member Scott announced Ward IV's annual Back to School Bash will be held Saturday August 13<sup>th</sup> at the Clements Center.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS - JULY6-05-390

Assistant City Manager Liz Miller announced on July 16<sup>th</sup> from 9 a.m. to 12:00 noon at the Patrick Hardesty Police substation there will be a free workshop for all interested in becoming better informed about the liquor license application process. Questions can be directed to the Sunnyside Neighborhood Association at 991-3307.

5. LIQUOR LICENSE APPLICATIONS – JULY6-05-377

THE MOOSE ON CONGRESS, CITY 44-05  
APACHE SHELL, CITY 45-05  
KELSEY'S ON UNIVERSITY RESTAURANT & PUB, CITY 46-05

Council Member Leal MOVED, SECONDED by Council Member Scott to direct staff to forward these applications to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excused).

CITY CLERK

6. C O N S E N T A G E N D A

\*\*\*ITEMS "W", AND "X" WERE DELETED FROM THE  
CONSENT AGENDA \*\*

A. FINANCIAL PARTICIPATION AGREEMENTS: WITH  
VARIOUS OUTSIDE AGENCIES FOR FISCAL YEAR 2006  
- JULY6-05-395

RESOLUTION NO. 20125

DIR. OF BUDGET &  
RESEARCH

B. ASSURANCE AGREEMENT: (S03-004) SAN MARCOS  
TERRACE (RCP), LOTS 1 TO 33 AND COMMON AREAS  
"A", "B", AND "C" - JULY6-05-386

RESOLUTION NO. 20126

DIR. OF DEV. SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

C. FINAL PLAT: (S03-004) SAN MARCOS TERRACE (RCP), LOTS 1 TO 33 AND COMMON AREAS "A", "B", AND "C" - JULY6-05-387	<u>DIR. OF DEV. SERVICES</u>
D. ASSURANCE AGREEMENT: (S04-001) DOS TIBURONES SUBDIVISION, LOTS 1 TO 23 AND COMMON AREAS "A" AND "B" (RCP – DUPLEX RESIDENTIAL) - JULY6-05-378  RESOLUTION NO. 20127	<u>DIR. OF DEV. SERVICES</u>
E. FINAL PLAT: (S04-001) DOS TIBURONES SUBDIVISION, LOTS 1 TO 23 AND COMMON AREAS "A" AND "B" (RCP – DUPLEX RESIDENTIAL) - JULY6-05-379	<u>DIR. OF DEV. SERVICES</u>
F. ASSURANCE AGREEMENT: (S04-108) PANTANO OVERLOOK (RCP), LOTS 1 TO 152, BLOCKS "A" AND "B" AND COMMON AREA "A" - JULY6-05-382  RESOLUTION NO. 20128	<u>DIR. OF DEV. SERVICES</u>
G. FINAL PLAT: (S04-108) PANTANO OVERLOOK (RCP), LOTS 1 TO 152, BLOCKS "A" AND "B" AND COMMON AREA "A" - JULY6-05-383	<u>DIR. OF DEV. SERVICES</u>
H. ASSURANCE AGREEMENT: (S05-005) TIERRA VISTA PHASE III (RCP), LOTS 1 TO 13, 20 TO 53, 339 TO 344, AND COMMON AREAS "A" AND "B" - JULY6-05-384  RESOLUTION NO. 20129	<u>DIR. OF DEV. SERVICES</u>
I. FINAL PLAT: (S05-005) TIERRA VISTA PHASE III (RCP), LOTS 1 TO 13, 20 TO 53, 339 TO 344, AND COMMON AREAS "A" AND "B" - JULY6-05-385	<u>DIR. OF DEV. SERVICES</u>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

J.	ASSURANCE AGREEMENT: (S04-114) LIMBERLOST TOWNHOUSES SUBDIVISION (RCP), LOTS 1 TO 49 AND COMMON AREAS "A", "B", AND "C" - JULY6-05-396  RESOLUTION NO. 20130	<u>DIR. OF DEV. SERVICES</u>
K.	FINAL PLAT: (S04-114) LIMBERLOST TOWNHOUSES SUBDIVISION (RCP), LOTS 1 TO 49 AND COMMON AREAS "A", "B", AND "C" - JULY6-05-393	<u>DIR. OF DEV. SERVICES</u>
L.	FINANCE: WRITE-OFF OF UNCOLLECTED ACCOUNTS RECEIVABLE - JULY6-05-388  RESOLUTION NO. 20131	<u>DIR. OF FINANCE</u>
M.	WATER: UPDATED TUCSON WATER FINANCIAL PLAN FOR FISCAL YEARS 2005 THROUGH 2010 - JULY6-05-399  RESOLUTION NO. 20132	<u>DIR. OF UTILITY SERVICES</u>
N.	PROFESSIONAL SERVICES: RENEWAL OF CONTRACT WITH SACKS TIERNEY LAW FIRM FOR REPRESENTATION ON WATER ISSUES - JULY6-05-398  RESOLUTION NO. 20133	<u>DIR. OF UTILITY SERVICES</u>
O.	ASSURANCE AGREEMENT: (S04-015) PRESIDIO PARK CENTRAL SUBDIVISION (RCP), LOTS 1 TO 12 AND COMMON AREA "A" - JULY6-05-394  RESOLUTION NO. 20134	<u>DIR. OF DEV. SERVICES</u>
P.	FINAL PLAT: (S04-015) PRESIDIO PARK CENTRAL SUBDIVISION (RCP), LOTS 1 TO 12 AND COMMON AREA "A" - JULY6-05-392	<u>DIR. OF DEV. SERVICES</u>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>Q. REAL PROPERTY: SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR PROPERTY FORMERLY OWNED BY THE CITY OF TUCSON - JULY6-05-376</p> <p>ORDINANCE NO. 10174</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>R. ASSURANCE AGREEMENT: (S04-083) BACH PROPERTY (RCP), LOTS 1 TO 20 AND COMMON AREAS "A-1" TO "A-4", "B-1" TO "B-2", AND "C-1" - JULY6-05-380</p> <p>RESOLUTION NO. 20135</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>S. FINAL PLAT: (S04-083) BACH PROPERTY (RCP), LOTS 1 TO 20 AND COMMON AREAS "A-1" TO "A-4", "B-1" TO "B-2", AND "C-1" - JULY6-05-381</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>T. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE FOX TUCSON THEATRE FOUNDATION AND THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR RESTORATION, OPERATION AND MANAGEMENT OF THE HISTORIC FOX THEATRE - JULY6-05-400</p> <p>RESOLUTION NO. 20136</p>	<p><u>DIR. OF RIO NUEVO</u></p>
<p>U. REAL PROPERTY: VACATION AND SALE OF SURPLUS PROPERTY LOCATED AT 1931 WEST KING AVENUE TO JESUS E. AND VERONICA DURAZO - JULY6-05-405</p> <p>ORDINANCE NO. 10175</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>V. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE TECHNOLOGY POLICY ADVISORY COMMITTEE (TEHPAC) - JULY6-05-403</p> <p>ORDINANCE NO. 10176</p>	<p><u>CITY CLERK</u></p>
<p>Y. BOARDS, COMMITTEES, AND COMMISSIONS: LANDSCAPE ADVISORY COMMITTEE - JULY6-05-410</p> <p>ORDINANCE NO. 10180</p>	<p><u>CITY CLERK</u></p>
<p>Z. INTERGOVERNMENTAL AGREEMENT: WITH THE PIMA COUNTY DIVISION OF ELECTIONS FOR ELECTION SUPPORT SERVICES - JULY6-05-409</p> <p>RESOLUTION NO. 20138</p>	<p><u>CITY CLERK</u></p>
<p>AA. ELECTION: RESOLUTION OF INTENTION TO HOLD A CHARTER AMENDMENT SPECIAL ELECTION ON NOVEMBER 8, 2005 RELATING TO THE RECOMMENDATION OF THE 2005 CITIZENS' COMMISSION ON PUBLIC SERVICE AND COMPENSATION - JULY6-05-411</p> <p>RESOLUTION NO. 20139</p>	<p><u>CITY CLERK</u></p>
<p>BB. APPROVAL OF MINUTES</p>	<p><u>CITY CLERK</u></p>
<p>CC. ASSURANCE AGREEMENT: (S05-044) VISTA MONTAÑA ESTATES, PHASE TWO SUBDIVISION (RCP), LOTS 216 TO 354 AND COMMON AREAS "A", "B", "C", "D" AND "F" - JULY6-05-415</p> <p>RESOLUTION NO. 20140</p>	<p><u>DIR. OF DEV. SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

DD. FINAL PLAT: (S05-044) VISTA MONTAÑA ESTATES, PHASE TWO SUBDIVISION (RCP), LOTS 216 TO 354 AND COMMON AREAS "A", "B", "C", "D" AND "F" - JULY6-05-414

DIR. OF DEV. SERVICES

Council Member Ibarra MOVED, SECONDED by Council Member West that items on the Consent Agenda A thru DD (except items W and X) and with the addition of the letter read into the record by the City Clerk, regarding item Q, be approved and/or adopted and proper action taken.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excused).

W. ASSURANCE AGREEMENT: (S04-003) TRES PUEBLOS SUBDIVISION (RCP), LOTS 1 TO 595 AND COMMON AREAS "A-1" TO "A-4", "B-1" TO "B-7", AND "C-1" TO "C-6" - JULY6-05-407

RESOLUTION NO. 20137

Vice Mayor Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Resolution No. 20137.

Motion PASSED by a vote of 4 to 2 (Council Members Ibarra and Leal dissenting; Council Member Ronstadt absent/excused).

On a second roll call vote for the sole and separate purpose of amending the Resolution to include the emergency clause the vote was 6 to 0 (Ronstadt absent/excused).

DIR. OF DEV. SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>X. FINAL PLAT: (S04-003) TRES PUEBLOS SUBDIVISION (RCP), LOTS 1 TO 595 AND COMMON AREAS "A-1" TO "A-4", "B-1" TO "B-7", AND "C-1" TO "C-6" - JULY6-05-408</p> <p>Vice Mayor Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Consent Item X.</p> <p>Motion <u>PASSED</u> by a vote of 4 to 2 (Council Members Ibarra and Leal dissenting; Council Member Ronstadt absent/excused).</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>7. CALL TO THE AUDIENCE</p> <p>a. Bruce Dusenberry addressed the Mayor and Council on behalf of DM50 and presented Mayor and Council with a DM poster thanking them for their support of the Air Force Base.</p> <p>b. Yolanda Herrera addressed the Mayor and Council and complained about flooding in her neighborhood on Calle Pinta.</p> <p>c. Michael Toney addressed the Mayor and Council on several issues including: Rio Nuevo, the Science Center and the smells from the sewer system.</p>	
<p>8. PUBLIC HEARING: PROPOSED ALTERNATIVE EXPENDITURE LIMITATION – HOME RULE OPTION - JULY6-05-397</p> <p>Council Member West MOVED, SECONDED by Council Member Scott to close the Public Hearing.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Ronstadt absent/excused).</p>	<p><u>DIR. OF BUDGET &amp; RESEARCH</u></p>
<p>9. PUBLIC HEARING: MAJOR STREETS AND ROUTES PLAN AMENDMENT – UPDATES RELATED TO RECENT ANNEXATION AND APPROVED ARTERIAL CHANGES - JULY6-05-406</p> <p>ORDINANCE NO. 10177</p>	<p><u>DIR. OF URBAN PLANNING &amp; DESIGN</u></p>



AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: MAJOR STREETS AND ROUTES PLAN AMENDMENT – UPDATES RELATED TO RECENT ANNEXATION AND APPROVED ARTERIAL CHANGES - JULY6-05-406 (Continued from previous page)

Council Member Scott MOVED, SECONDED by Council Member West close the public hearing.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excused).

Council Member Scott MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 10177 relating to planning and zoning; updating and amending the Major Streets and Routes (MS&R) Plan map updating street classification and right-of-way for those streets affected by recent annexations and approved arterial changes including portions of River Road, Houghton Road, Drexel Road, Los Reales Road, Rita Road, Hughes Access Road, Nogales Old Vail Extension, Wilmot Road, Kolb Road, Alvernon Way, Nexus Road, Voyager Road, Pantano Road, and UA Science and Technology Park-Spine Road; and setting an effective date.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excused).

DIR. OF URBAN  
PLANNING & DESIGN

10. PUBLIC HEARING: TUCSON CODE, AMENDING CHAPTER 6, ADOPTION OF THE 2003 INTERNATIONAL ENERGY CONSERVATION CODE AND SUSTAINABLE ENERGY STANDARD WITH LOCAL AMENDMENTS - JULY6-05-404

ORDINANCE NO. 10178

Council Member Ibarra MOVED, SECONDED by Vice Mayor Dunbar to close the public hearing.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excused).

DIR. OF DEV. SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

10. PUBLIC HEARING: TUCSON CODE, AMENDING CHAPTER 6, ADOPTION OF THE 2003 INTERNATIONAL ENERGY CONSERVATION CODE AND SUSTAINABLE ENERGY STANDARD WITH LOCAL AMENDMENTS - JULY6-05-404 (Continued from previous page)

Council Member Scott MOVED, SECONDED by Vice Mayor Dunbar to pass and adopt Ordinance No. 10178 relating to Building, Electricity, Plumbing and Mechanical Code, amending the Tucson Code Chapter 6, Buildings, Electricity, Plumbing and Mechanical Code, Article III Buildings, Division 1, Building Code, Section 6-40 Energy Conservation Code, by adopting the International Energy Conservation Code, 2003 Edition with local modifications; establishing penalties; establishing an effective date; and declaring an emergency.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excused).

DIR. OF DEV. SERVICES

11. PUBLIC HEARING: ZONING (C9-02-32) A-C INVESTMENTS – AJO WAY, R-1, R-2 AND I-1 TO I-1, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN - JULY6-05-402

This item was CONTINUED to the Mayor and Council meeting of August 2, 2005.

DIR. OF DEV. SERVICES

12. ZONING: (C9-03-17) VIEJO VILLA – ESCALANTE ROAD, SR TO R-1, ORDINANCE ADOPTION - JULY6-05-401

ORDINANCE NO. 10179

Council Member Scott MOVED, SECONDED by Council Member West to pass and adopt Ordinance 10179 relating to zoning: amending zoning district boundaries in the area located on the southeast corner of Escalante Road and Houghton Road in Case C9-03-17, Viejo Villa – Escalante Road, SR to R-1; and setting an effective date.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excuse).

DIR. OF DEV. SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

13. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS - JULY6-05-391

Council Member West MOVED, SECONDED by Vice Mayor Dunbar to approve the reappointment of Joan Lionetti and Grant McCormick to the Landscape Advisory Committee.

Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt absent/excuse).

Council Member Scott announced her personal appointment of \*Mariadel Cousins to the Citizens Water Advisory Committee.

CITY CLERK

14. ZONING: REQUEST FOR RECONSIDERATION OF ORDINANCE 10162 RELATING TO (C9-03-24) ABRAMS/ACEDO – 4<sup>TH</sup> STREET - JULY6-05-413

ORDINANCE NO. 10162

Council Member Leal MOVED, SECONDED by Vice Mayor Dunbar to reconsider Ordinance No. 10162.

Motion PASSED by a vote of 4 to 2 (Council Members Ibarra and Scott dissenting; Council Ronstadt absent/excused).

DIR. OF DEV. SERVICES  
AND CITY CLERK

15. ADJOURNMENT: 6:20 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, August 2, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

\*REVISION